



Atty. Dkt. No. 057491-0758

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Brian LEYLAND-JONES

Title: METHODS FOR TREATING LUNG CANCER USING INSULIN-LIKE GROWTH
FACTOR BINDING PROTEIN-3

Appl. No.: 10/659,708

Filing Date: 09/11/2003

Examiner: Unassigned

Art Unit: 1646

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Mail Stop MISSING PARTS
Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 CFR §1.56. A copy of each listed document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.



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TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits.

RELEVANCE OF EACH DOCUMENT

Document A2 was cited as being relevant in the corresponding International Application, PCT/US03/28354. A copy of the International Search Report setting forth the portion of the reference considered relevant by the examiner is attached.

Applicant respectfully requests that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date February 2, 2004

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Substitute for form 1449B/PTO		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use many sheets as necessary) Sheet <u>1</u> of <u>2</u>		Application Number	10/659,708
		Filing Date	09/11/2003
		First Named Inventor	Brian Leyland-Jones
		Group Art Unit	1646
		Examiner Name	Unassigned
		Attorney Docket Number	057491-0758

NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶
	A1	BUTT et al., "Insulin-like Growth Factor-binding Protein-3 Modulates Expression of Bax and Bcl-2 and Potentiates p53-independent Radiation-induced Apoptosis in Human Breast Cancer Cells," <u>The Journal of Biological Chemistry</u> , December 15, 2000, pp. 39174-39181, Vol. 275, No. 50, The American Society for Biochemistry and Molecular Biology, Inc., USA	
	A2	Database USPT on WEST, SPENCER et al., "Therapeutic uses of human somatomedin carrier proteins," US Patent No. 5681818, October 28, 1997	
	A3	FOWLER et al., "Insulin-Like Growth Factor Binding Protein-3 (IGFBP-3) Potentiates Paclitaxel-Induced Apoptosis in Human Breast Cancer Cells," <u>Int. J. Cancer</u> , 2000, pp. 448-453, Vol. 88, Wiley-Liss, Inc.	
	A4	GILL et al., "Insulin-like Growth Factor-binding Protein (IGFBP-3) Predisposes Breast Cancer Cells to Programmed Cell Death in a Non-IGF-dependent Manner," <u>The Journal of Biological Chemistry</u> , October 10, 1997, pp. 25602-25607, Vol. 272, No. 41, The American Society for Biochemistry and Molecular Biology, Inc., USA	
	A5	GIULIANO et al., "Induction of Apoptosis in Human Retinoblastoma Cells by Topoisomerase Inhibitors," <u>Investigative Ophthalmology & Visual Science</u> , July 1998, pp. 1300-1311, Vol. 39, No. 8, Association for Research in Vision and Ophthalmology	
	A6	HOLLOWOOD et al., "IGFBP-3 Prolongs the p53 Response and Enhances Apoptosis Following UV Irradiation," <u>Int. J. Cancer</u> , 2000, pp. 336-341, Vol. 88, No. 3, Wiley-Liss, Inc.	
	A7	LEAL et al., "The Type V Transforming Growth Factor β Receptor is the Putative Insulin-like Growth Factor-binding Protein 3 Receptor," <u>The Journal of Biological Chemistry</u> , August 15, 1997, pp. 20572-20576, Vol. 272, No. 33, The American Society for Biochemistry and Molecular Biology, Inc., USA	
	A8	LEE et al., "Enhanced expression of insulin-like growth factor binding protein-3 sensitizes the growth inhibitory effect of anticancer drugs in gastric cancer cells," <u>Biochemical and Biophysical Research Communications</u> , 2002, pp. 480-486, Vol. 294, Academic Press, Elsevier Science (USA)	
	A9	LEE et al., "Insulin-like Growth Factor Binding Protein-3 Inhibits the Growth of Non-Small Cell Lung Cancer," <u>Cancer Research</u> , June 15, 2002, pp. 3530-3537, Vol. 62	
	A10	LU et al., "Insulin-Like Growth Factor-I Receptor Signaling and Resistance to Trastuzumab (Herceptin)," <u>Journal of the National Cancer Institute</u> , December 19, 2001, pp. 1852-1857, Vol. 93, No. 24	
	A11	OH et al., "Demonstration of Receptors for Insulin-like Growth Factor Binding Protein-3 on Hs578T Human Breast Cancer Cells," <u>The Journal of Biological Chemistry</u> , December 15, 1993, pp. 26045-26048, Vol. 268, No. 35, The American Society for Biochemistry and Molecular Biology, Inc., USA	

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, PO Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450.

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		Attorney Docket Number	057491-0758

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	A12	PERKS et al., "A non-IGF binding mutant of IGFBP-3 modulates cells function in breast epithelial cells," <u>Biochemical and Biophysical Research Communications</u> , 2002, pp. 988-994, Vol. 294, Academic Press, Elsevier Science (USA)	
	A13	RAJAH et al., "Insulin-like Growth Factor (IGF)-binding Protein-3 Induces Apoptosis and Mediates the Effects of Transforming Growth Factor-β1 on Programmed Cell Death through a p53- and IGF-independent Mechanism," <u>The Journal of Biological Chemistry</u> , May 2, 1997, pp. 12181-12188, Vol. 272, No. 18, The American Society for Biochemistry and Molecular Biology, Inc., USA	
	A14	YAMANAKA et al., "Characterization of Insulin-Like Growth Factor Binding Protein-3 (IGFBP-3) Binding to Human Breast Cancer Cells: Kinetics of IGFB-3 Binding and Identification of Receptor Binding Domain on the IGFBP-3 Molecule," <u>Endocrinology</u> , 1999, pp. 1319-1328, Vol. 140, No. 3, The Endocrine Society, USA	

Examiner Signature		Date Considered	
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